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**Attorney for the Defendant, Yusuf Samori**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII**

United States of America,	)	D.C. NO. CR 02-00475 SOM
Plaintiff.	)	
	)	DEFENDANT'S SENTENCING
	)	STATEMENT AND RESPONSE TO
	)	ADDENDUM NO. 3 TO THE
v.	)	PRESENTENCE REPORT;
	)	CERTIFICATE OF SERVICE.
	)	
	)	Hearing Date: March 15, 2007
Yusuf Tarik Samori,	)	Hearing Time: 2:15 p.m.
Defendant.	)	Judge: Honorable Susan Oki-Mollway

**DEFENDANT'S SENTENCING STATEMENT AND RESPONSE TO ADDENDUM  
NO. 3 TO THE PRESENTENCE REPORT; CERTIFICATE OF SERVICE.**

Defendant Yusuf Samori ("Mr. Samori"), by and through counsel, Georgia K. McMillen, respectfully states that he has no objections to the Addendum No. 3 to the Presentence Report submitted on or about November 30, 2006.

On remand for resentencing under the now advisory federal Sentencing Guidelines and pursuant to United States v. Ameline, 409 F.3d 1073, 1084-85 (9<sup>th</sup> Cir. 2005)(en banc), Mr. Samori notes to the Court that he has fulfilled the original 39-month custodial portion of his sentence. Thus the issue under a limited Ameline remand --

whether the Court would have imposed a different custodial term had the Court known the Guidelines were advisory -- is moot.

This leaves the issue of the originally imposed three-year term of supervised release. On July 21, 2006, Mr. Samori admitted five violations of supervised release. Both parties, and the court, agreed that Mr. Samori was a poor candidate for further supervised release. Thus on the same date the Court revoked the originally imposed three-year term of supervised release, imposed a 12-month straight prison term for the violations, and imposed no further supervised release.<sup>1</sup> According to the federal Bureau of Prisons website, Mr. Samori is to be released from custody on June 27, 2007.

Therefore, it appears that the issue of supervised release under this limited Ameline remand is, as well, moot. But, otherwise, Mr. Samori seeks no changes to his original three-year supervised release term.

DATED: Wailuku Maui, Hawai'i, March 12, 2007.

/s/ Georgia K. McMillen  
Georgia K. McMillen  
Attorney for Defendant

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<sup>1</sup> Mr. Samori directed counsel to appeal that judgment, which appeal is currently pending before the United States Court of Appeals, Ninth Circuit in Court of Appeals No. 06-10539.